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Paper No. 52

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte PETER N. YIANILOS

Appeal No. 1999-2257
Application No. 08/767,220

ON BRIEF

Before FLEMING, RUGGIERO, and BARRY, Administrative Patent Judges.

BARRY, Administrative Patent Judge.

DECISION ON APPEAL

This is a decision on appeal under 35 U.S.C. § 134 from an examiner's rejection of claims 25, 28-33, and 36-40. We reverse.

BACKGROUND

The appellant's invention relates to electronic books. Because texts of the Holy Bible are stored in a memory of the appellant's electronic book, his invention could be called an

"electronic Good Book." More specifically, the stored text is divided into the books of the Bible (e.g., Matthew, Mark, Luke, and John); each book is separated into chapters and verses. When a user enters the name of a book, a read mode request is executed whereby the beginning of the book is displayed. When he enters a term or phrase that is not the name of a book, a search mode request is executed whereby all the books are searched for occurrence of the term or phrase. A list of those books containing the entered word or phrase is displayed for selection by the user. When he selects a book from the list, that portion of the selected book that includes the entered term or phrase is displayed. Accordingly, only a single user entry need be made to display the beginning of a desired section of the Bible, and only two entries need be made if the first entry does not readily identify the desired section.

Claim 25, which is representative for present purposes, follows:

25. A method of providing user access to stored textual information in an electronic book having a digital memory, entry keys, a display screen and a

microprocessor for implementing the method, said stored textual information being comprised of sections of textual information, each of said sections being identified by a respective section identifier, said method comprising the steps of:

receiving a user entry from a user of said electronic book;

parsing said user entry by recognizing said user entry as a read mode request if said user entry corresponds to any one of said section identifiers, and by recognizing said user entry as a search mode request if said user entry does not correspond to any one of said section identifiers,

displaying, when said user entry is recognized as a read mode request, at least a portion of said section of textual information having said section identifier to which the user entry corresponds; and

searching, when said user entry is recognized as a search mode request, through each of said sections of textual information for at least one occurrence of said user entry, displaying on said display screen of said electronic book a list of the section identifiers of those sections of textual information in which said at least one occurrence of said user entry is found, receiving a second user entry from said user, and displaying a portion containing the first user entry of the section of textual information having said section identifier to which the second user entry corresponds.

The prior art applied by the examiner in rejecting the claims follows:

Cassorla et al. ("Cassorla") 8, 1992	5,146,552	Sep. (filed Feb. 28, 1990)
Cochran et al. ("Cochran") 1989	4,879,648	Nov. 7,

Claims 25, 28-33, and 36-40 stand rejected under 35 U.S.C.
§ 103 as being obvious over Cassorla in view of Cochran.
Rather than reiterate the arguments of the appellant or
examiner in toto, we

refer the reader to the brief and answer for the respective
details thereof.

OPINION

After considering the record, we are persuaded that the
examiner erred in rejecting claims 25, 28-33, and 36-40.
Accordingly, we reverse. We begin by summarizing the
examiner's rejection and the appellant's argument.

The examiner asserts, "a state or airport code may be
entered into the location field. Depending on the code
entered, the processing for a state or airport is performed."

(Examiner's Answer at 10.) He adds, "when the entry is a state code or **correlates to a state identifier it is processed as a read request or static list.**" (Id. at 7.) The appellant argues, "neither Cassorla, et al. nor Cochran, et al. discloses or suggests parsing a user entry by recognizing the entry as a read mode request or as a search mode request depending upon whether that user entry corresponds to any of the section identifiers of the stored textual information." (Appeal Br. at 10.)

Claims 25 and 29-31 specify in pertinent part the following limitations: "parsing said user entry by recognizing said user entry as a read mode request if said user entry corresponds to any one of said section identifiers, and by recognizing said user entry as a search mode request if said user entry does not correspond to any one of said section identifiers, displaying, when said user entry is recognized as a read mode request, at least a portion of said section of textual information having said section identifier to which the user entry corresponds" Similarly, claim 28

specifies in pertinent part the following limitations:

"parsing said user entry by recognizing said user entry as a read mode request if said user entry corresponds to any one of said section identifiers and said user entry is not included within any of said sections of textual information, by recognizing said user entry as a search mode request if said user entry does not correspond to any one of said section identifiers, and prompting said user to indicate whether the user entry is a read mode request or a search mode request when said user entry corresponds to one of said section identifiers and said user entry is included within at least one of said sections of textual information; displaying, when said user entry is recognized as a read mode request, at least a portion of said section of textual information having said section identifier to which the user entry corresponds"

Also similarly, claims 33 and 37-40 specify in pertinent part the following limitations: "parsing means for parsing said user entry by recognizing said user entry as a read mode request if said user entry corresponds to any one of said section identifiers, and by recognizing said user entry as a search mode request if said user entry does not correspond to

any one of said section identifiers; and display means for displaying, when said user entry is recognized as a read mode request, at least a portion of said section of textual information having said section identifier to which the user entry corresponds" Similarly, claim 36 specifies in pertinent part the following limitations: "parsing means for parsing said user entry by recognizing said user entry as a read mode request if said user entry corresponds to any one of said section identifiers and said user entry is not included within any of said sections of textual information, and by recognizing said user entry as a search mode request if said user entry does not correspond to any one of said section identifiers, said parsing means including means for prompting said user to indicate whether the user entry is a read mode request or a search mode request when said user entry corresponds to one of said section identifiers and said user entry is included within at least one of said sections of textual information; display means for displaying, when said user entry is recognized as a read mode request, at least a portion of said section of textual information having said section identifier to which the user entry corresponds"

Accordingly, claims 25, 28-33, and 36-40 require inter alia recognizing a user entry as a read mode request if it corresponds to a section identifier and responsively displaying at least some of a section of textual information having the section identifier to which the user entry corresponds.

The examiner fails to show a teaching or suggestion of the limitations in the applied prior art. "'A prima facie case of obviousness is established when the teachings from the prior art itself would appear to have suggested the claimed subject matter to a person of ordinary skill in the art.'" In re Bell, 991 F.2d 781, 782, 26 USPQ2d 1529, 1531 (Fed. Cir. 1993) (quoting In re Rinehart, 531 F.2d 1048, 1051, 189 USPQ 143, 147 (CCPA 1976)).

Here, the examiner admits, "Cassorla does not show read mode ... requests." (Examiner's Answer at 3.) Furthermore, Cochran's state code, to which the examiner refers, is not a read request. To the contrary, it is processed as a search request whereby a database is searched for occurrence of the

code. Specifically "all the state codes or airport codes are linked with logical connectors 'and' and in step **116** a search through the data base (shown as Data Base₀) is conducted to obtain Data Base₁ as a subset of Data Base₀." Col. 16, ll. 29-33.

Because Cochran's state code is processed as a search request, we are not persuaded that the teachings from the applied prior art would have suggested the limitations of "parsing said user entry by recognizing said user entry as a read mode request if said user entry corresponds to any one of said section identifiers, and by recognizing said user entry as a search mode request if said user entry does not correspond to any one of said section identifiers, displaying, when said user entry is recognized as a read mode request, at least a portion of said section of textual information having said section identifier to which the user entry corresponds;" "parsing said user entry by recognizing said user entry as a read mode request if said user entry corresponds to any one of said section identifiers and said user entry is not included within any of said sections of textual information, by

recognizing said user entry as a search mode request if said user entry does not correspond to any one of said section identifiers, and prompting said user to indicate whether the user entry is a read mode request or a search mode request when said user entry corresponds to one of said section identifiers and said user entry is included within at least one of said sections of textual information; displaying, when said user entry is recognized as a read mode request, at least a portion of said section of textual information having said section identifier to which the user entry corresponds;"

"parsing means for parsing said user entry by recognizing said user entry as a read mode request if said user entry corresponds to any one of said section identifiers, and by recognizing said user entry as a search mode request if said user entry does not correspond to any one of said section identifiers; and display means for displaying, when said user entry is recognized as a read mode request, at least a portion of said section of textual information having said section identifier to which the user entry corresponds;" and "parsing means for parsing said user entry by recognizing said user entry as a read mode request if said user entry corresponds to

any one of said section identifiers and said user entry is not included within any of said sections of textual information, and by recognizing said user entry as a search mode request if said user entry does not correspond to any one of said section identifiers, said parsing means including means for prompting said user to indicate whether the user entry is a read mode request or a search mode request when said user entry corresponds to one of said section identifiers and said user entry is included within at least one of said sections of textual information; display means for displaying, when said user entry is recognized as a read mode request, at least a portion of said section of textual information having said section identifier to which the user entry corresponds" Therefore, we reverse the rejection of claims 25, 28-33, and 36-40 as being obvious over Cassorla in view of Cochran.

CONCLUSION

In summary, the rejection of claims 25, 28-33, and 36-40 under § 103 is reversed.

REVERSED

MICHAEL R. FLEMING)	
Administrative Patent Judge)	
)	
)	
)	
)	BOARD OF PATENT
JOSEPH F. RUGGIERO)	APPEALS
Administrative Patent Judge)	AND
)	INTERFERENCES
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Once signed, forward to Team 3 for mailing.

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APPLICATION NO. 08/767,220

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Prepared By: APJ BARRY (GJH)

DRAFT SUBMITTED: 17 Jul 02

FINAL TYPED:

Team 3:

I typed all of this opinion.

Please check spelling, cites, and quotes.

Do NOT change matters of form or style.

For any additional reference provided, please prepare PTO 892
and include copy of references